

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

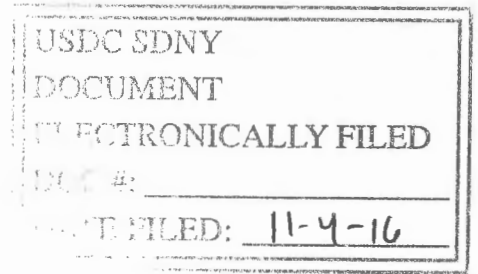
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RUTHIE WOODS, Administratrix of the  
Estate of VICTOR WOODS,

Plaintiff,

-against-

THE CITY OF NEW YORK, NEW YORK CITY  
DEPARTMENT OF CORRECTION OFFICERS  
WICKENSON DEMAIRE, GERALDINE  
WILLIAMS, LACEWELL (#15383), JOHN &  
JANE DOES 1-5, CORIZON HEALTH, INC.  
& HABIB MOHAMMAD, M.D.,

Defendants.  
----- X



Civ. No. 15cv1542 (PAC)(JCF)

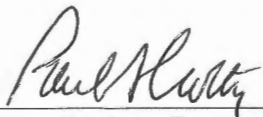
**~~PROPOSED~~ ORDER  
OF COMPROMISE**

Upon the Plaintiff's Motion for an Order of Compromise, dated October 21, 2016, Attorney Affirmation in Support, and all exhibits attached thereto, pursuant to S.D.N.Y. Local Civil Rule 83.2(b) and New York Estates, Power and Trusts Law Section 5-4.6(a); and upon all of the papers, pleadings, and proceedings heretofore had and filed herein, the Court finds that the Compromise and Settlement entered into by the Plaintiff and Defendants should be approved. Based upon the foregoing, it is hereby ORDERED:

- a. Plaintiff's Motion for an Order of Compromise is granted;
- b. The terms set forth in the Stipulation of Settlement entered into by Plaintiff and Defendants and the settlement amount of \$1,500,000.00 are approved as adequate;
- c. The proposed disbursements in the amount of \$17,445.82 and attorneys' fees in the amount of \$494,184.73, pursuant to a retainer agreement for a contingency fee of one-third of the net recovery, for a total of \$511,630.55 in disbursements and fees is approved as adequate;
- d. Defendant City of New York shall pay all sums (\$1,500,000.00) payable under the

- Order of Compromise within 90 days of receipt of this Order, pursuant to New York Civil Practice Law and Rules §5003-a(b), to the Plaintiff estate's attorney for payment of all disbursements and attorneys' fees, and the placement of the balance of \$988,369.45 in an interest-bearing escrow account for the benefit of the distributees;
- e. Pursuant to EPTL §5-4.6(a)(2), all attorneys' fees and all disbursements, shall be immediately payable;
  - f. Pursuant to EPTL §5.46(a)(3), Plaintiff's attorney who receives payment shall continue to serve as attorney for the Estate of Victor Woods until the entry of a final decree in the Surrogate Court, Queens County;
  - g. Pursuant to EPTL §5-4.6(d), the written approval and Order of this Court is conclusive evidence of the adequacy of the compromise in any proceeding in the Surrogate Court for the final settlement of the account;
  - h. The remainder of the settlement funds, in the amount of \$988,369.45, shall be held in an interest-bearing escrow account for the benefit of the distributees of the Estate of Victor Woods, pending the Surrogate Court's Final Order of distribution;
  - i. The Plaintiff estate's attorney shall file forthwith the proposed petition and accounting to the Surrogate's Court of the State of New York, County of Queens, for review of the proposed distribution of the remainder of said settlement funds to Ruthie Woods and Kareem Nelson and for an Order in accordance with the Surrogate Court's findings of distribution.

SO ORDERED

  
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Hon. Paul A. Crotty  
United States District Judge

Dated: New York, NY  
Nov 4, 2016